



UNIVERSITY of HAWAII®
MAUI COLLEGE

December 11, 2018

BY ELECTRONIC FILING

The Honorable Ajit Pai, Chairman
The Honorable Michael O'Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
Federal Communications Commission
455 12th Street, SW
Washington, DC 20544

RE: MB DOCKET NO. 05-311; IN RE IMPLEMENTATION OF SECTION 621(a)(1) OF THE CABLE
COMMUNICATIONS POLICY ACT OF 1984, AS AMENDED

Dear Chairman Pai:

On behalf of University of Hawai'i Maui College (UH Maui College), I write in opposition to the FCC's conclusion in the Second Further Notice of Proposed Rulemaking (Second FNPRM) that cable-related "in-kind" contributions required by a franchising agreement as "franchise fees" should be subject to the five percent cap on franchise fees set forth in Section 622 of the Communications Act of 1934, as amended.

In brief, the proposed rule change would allow cable companies to greatly reduce or eliminate franchise fee support for Public, Educational, and Government (PEG) Access by including all in-kind costs at fair market in the computation of the five percent cap. The net result would be evaporation of PEG Access dollars for community television, educational programs, and civic engagement.

For UH Maui College, the proposed rule change poses the distinct possibility that, in the very near future, the College will no longer receive any more money to support its cable channel and its studio and related equipment. Without continued PEG Access resources, the College's ability to maintain, repair, replace, and upgrade its equipment and operations, and its ability to support students, faculty, and the local community, will be jeopardized. All of this will be to the detriment of media literacy, educational opportunity, and knowledge and understanding.

I ask that the Second FNPRM be withdrawn.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lui K. Hokoana".
Lui K. Hokoana
Chancellor